



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 24, 2019

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Title	Agenda Item Type
Juvenile Law: Legal Accuracy of Forms	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms JV-180, JV-364, and JV-618	January 1, 2020
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	September 4, 2019
Hon. Jerilyn L. Borack, Cochair	Contact
Hon. Mark A. Juhas, Cochair	Nicole Giacinti, 415-865-7598 nicole.giacinti@jud.ca.gov

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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends revising three forms to comply with recent statutory changes reforming juvenile justice and out-of-home case processes in child welfare cases. In compliance with Senate Bill 190 (Mitchell; Stats. 2017, ch. 678), references to fees associated with probation conditions and out-of-home placement of a child will be removed from one juvenile justice form. Two child welfare related forms will be revised: one to include required title IV-E findings and the other to comply with permanency goals established by Continuum of Care Reform (CCR).

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2020:

1. Revise *Waiver of Rights* (form JV-618) to delete the reference to payment of “fees” and reflect the correct Penal Code section related to firearm restrictions, which changed since the form was last revised;

2. Revise *Termination of Dependency* (form JV-364) to clarify that the form is only to be used when the permanent plan achieved is adoption and to include two title IV-E findings, the reasonable efforts finding and the permanent plan finding; and
3. Revise *Request to Change Court Order* (form JV-180) to include a check box in item 2 that allows parents to request statutorily authorized resumption of services and to change gendered terms to nongendered terms.

The revised forms are attached at pages 4–9.

### **Relevant Previous Council Action**

Effective January 1, 2018, the Judicial Council approved revisions to 18 juvenile law forms, including *Termination of Dependency* (form JV-364) and *Request to Change Court Order* (form JV-180), to bring them into compliance with by Senate Bill 794 (Stats. 2015, ch. 425), frequently referred to as Continuum of Care Reform (CCR).

### **Analysis/Rationale**

The committee recommends revising form JV-618 to ensure it remains legally accurate. Currently, form JV-618 states that the child may be required to pay fees. However, SB 190 has rescinded the requirement that delinquent wards pay fees; therefore, the form must be revised. This form also contains a citation to an outdated Penal Code section related to firearm restrictions; hence, a revision is needed to reflect the current Penal Code section.

The committee recommends that form JV-364 be revised to include the title IV-E findings that are required to claim federal dollars, to ensure that gaps in funding do not occur.<sup>1</sup> Such gaps are detrimental to the stability of placements. Consequently, to comply with the permanency goals established by CCR, it is important to ensure that juvenile forms do not have the potential to create funding issues. Under the federal statutory scheme, title IV-E funding is retroactive, which means that the findings the court makes at status review hearings are backward looking. For this same reason, whenever a case is dismissed, findings must establish that the agency complied with federal requirements for those months leading up to the dismissal. Form JV-364—which dismisses the dependency case—does not currently include those findings.

The committee recommends revising form JV-180 because CCR revised Welfare and Institutions Code section 366.22(a)(3) to include return home as a permanent plan option for children who are in out-of-home care when reunification services are terminated. Currently, form JV-180 does not include a check box to request that services be resumed. Due to the statutory change implemented by CCR, it is necessary to revise form JV-180 to reflect current law and provide a mechanism for parents to have their request for additional services heard.

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<sup>1</sup> See title 42 United States Code section 671 et seq., which establishes guidelines for receipt of federal dollars for foster care.

While revising form JV-180 to comply with the law, the committee also recommends revising it to use the nongendered terms “parent” and “sibling” for mother, father, sister, and brother.

### **Policy implications**

The recommended revisions to these three forms are consistent with the recent and ongoing movement to make juvenile justice less punitive and to focus on permanency and normalcy for both dependent and delinquent youth in out-of-home placement.

### **Comments**

This proposal circulated for comment as part of the spring 2019 invitation-to-comment cycle from April 11 to June 10, 2019, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, court administrators and clerks, attorneys, family law facilitators and self-help center staff, social workers, probation officers, Court Appointed Special Advocate programs, and other juvenile and family law professionals.

The committee received seven comments on this proposal. Four of the seven commenters agreed with the proposal and the remaining three agreed if slight modifications were made. A chart with the full text of the comments received and the committee’s responses is attached at pages 10-21. Most of the comments suggested minor or technical changes, which the committee accepted without debate. Two commenters suggested revisions to form JV-618 that would change the plain language of the form. Because the wording on these forms was developed by a multidisciplinary working group to ensure accuracy and comprehension by young people, the committee declined to make changes that would substantially change the wording on the form.

### **Alternatives considered**

Other than correcting minor typographical errors, alternatives were not considered because the proposed revisions to the forms are necessary to maintain their legal accuracy.

### **Fiscal and Operational Impacts**

In implementing the revised forms, courts would incur standard reproduction costs and retraining of affected staff.

### **Attachments and Links**

1. Forms JV-180, JV-364, and JV-618, at pages 4–9
2. Chart of comments, at pages 10–21

*This form can be used to ask the court to change an order, to ask the court to dismiss your case, to ask the court to terminate reunification services, or to ask the court to recognize your relationship with your sister or brother. After filling out this form, take it to the clerk of the court.*

Clerk stamps date here when form is filed.

**DRAFT**  
**Not approved by**  
**the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in child's name:

**Name of Child:**

Clerk fills in case number when form is filed.

**Case Number:**

**1** Your information:

a. I am the:

- ☐ child ☐ **parent** ☐ legal guardian  
☐ foster parent ☐ sibling or other relative (specify): \_\_\_\_\_  
☐ social worker ☐ probation officer ☐ attorney  
☐ other \_\_\_\_\_

b. My name: \_\_\_\_\_

c. My address: \_\_\_\_\_

d. My city, state, zip code: \_\_\_\_\_

e. My telephone number: \_\_\_\_\_

f. If you are an attorney:

My client's name: \_\_\_\_\_

My client's address (if confidential, see item 3): \_\_\_\_\_

My client's relationship to the child: \_\_\_\_\_

My State Bar number: \_\_\_\_\_

**2** Type of request (check the appropriate box below and add specific details in items 6–9, as applicable):

- a. ☐ I am asking the court to change an order.  
b. ☐ I am asking the court to terminate its jurisdiction.  
c. ☐ I am asking the court to terminate reunification services.  
d. ☐ I am asking the court to order that reunification services be resumed for six months.  
e. ☐ I am asking the court to recognize my relationship with my sibling(s).  
(1) I am related to my sibling(s) through (name of parent): \_\_\_\_\_  
(2) I am related to my sibling(s) ☐ by blood or adoption ☐ by marriage.

**3** If you want to keep your address or your client's address confidential, fill out Confidential Information (Request to Change Court Order) (form JV-182), and do not write the address on this form.

☐ Check here if form JV-182 is attached.

**4** Child's information:

a. Name: \_\_\_\_\_

b. Date of birth: \_\_\_\_\_

c. Attorney (if known): \_\_\_\_\_

d. The child lives with or in a (check all that apply):

- ☐ parent ☐ legal guardian ☐ relative  
☐ foster home ☐ group home ☐ I don't know

e. Name of the person the child lives with or the place where he or she lives: \_\_\_\_\_

Address: \_\_\_\_\_

☐ Check here if unknown.



Name of child: \_\_\_\_\_

Case Number: \_\_\_\_\_

**5** Information about parents, legal guardians, and others:

a. Names of parents or legal guardians: \_\_\_\_\_

☐ (Check here if unknown.)

b. Address of parent/legal guardian: \_\_\_\_\_

☐ (Check here if unknown.)

c. Address of parent/legal guardian: \_\_\_\_\_

☐ (Check here if unknown.)

d. Indian tribe (if applicable and known): \_\_\_\_\_

e. CASA volunteer (if applicable and known): \_\_\_\_\_

f. Educational rights holder (if applicable and known): \_\_\_\_\_

g. Social worker or probation officer (if applicable and known): \_\_\_\_\_

If you are asking the court to recognize your relationship with your **sibling** but not asking the court to change an order, you may skip to item 8.

**6** On (date, if known): \_\_\_\_\_ the judge made the following order that I think should be changed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7** What has happened since that order that might change the judge's mind? (Give new information that the judge did not have when the order was made):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8** What new order or orders do you want the judge to make now?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9** Why would the requested order or action be better for the child?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10** ☐ Check here if you need more space for any of the answers. Attach a sheet of paper and write "JV-180" at the top of the page. Number of pages attached: \_\_\_\_\_



Name of child: \_\_\_\_\_

Case Number: \_\_\_\_\_

- 11** I have had a copy of my request sent to the people listed below, as applicable. I have checked the correct box to the right of each name to show whether, as far as I know, that person agrees with my request.

*If you do not have an attorney, the clerk will send notice and copies of your request to all persons required to receive notice under Welfare and Institutions Code sections 297 and 386 and rules 5.524 and 5.570 of the California Rules of Court.*

	Name	Agree	Disagree	Don't Know	Not Applicable
Child (if 10 years old, or older):	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child's attorney:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal guardian:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal guardian:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social worker:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Probation officer:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current caregiver/foster parent:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preadoptive parent:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CASA volunteer:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Educational rights holder:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indian tribe:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indian custodian:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sibling (if petition filed & 10+ years old):	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sibling's caregiver:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sibling's attorney:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney for parent/legal guardian:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorney for parent/legal guardian:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
County counsel:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District attorney:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 12** You can ask the judge to make a decision without a court hearing if all the people named above agree with your request. Check here ☐ if you want a decision without a hearing.

- 13** If anyone disagrees with your request, please explain why (if known):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 14** I declare under penalty of perjury under the laws of the State of California that the information in this form is true and correct to the best of my knowledge.

Date:

\_\_\_\_\_  
Type or print name



\_\_\_\_\_  
Signature

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR ( <i>name</i> ):	STATE BAR NUMBER:  STATE:      ZIP CODE: FAX NO.:	FOR COURT USE ONLY  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	JUVENILE DEPENDENCY CASE NUMBER:	
CHILD'S NAME:		
<b>TERMINATION OF DEPENDENCY FOR ADOPTION</b> <b>(Juvenile)</b>		

The county agency has complied with the case plan by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.

The permanent plan of adoption has been achieved.

DEPENDENCY AND JUVENILE COURT JURISDICTION OF THE ABOVE-REFERENCED CHILD ARE TERMINATED.

ORDER FOR REVIEW HEARING SET ON (*DATE*):      IS VACATED.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

- For the items below, write your initials on each line that applies to your case. If you have a question about an item, ask your attorney or the judge before you initial that item.**

- Page 1 of 2



CHILD'S NAME:	CASE NUMBER:
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6. My attorney has explained that when I admit to: \_\_\_\_\_, listed **Count(s)** *Initial*  
**as:** \_\_\_\_\_, I will have crime(s) on my record that are "Strike" offenses under the Three Strikes Law. I have  
talked with my attorney about what this could mean in my future and how I may have to spend much more time in jail or  
prison if I get in trouble again because I am admitting to these offenses today. \_\_\_\_\_

7. I have talked to my lawyer about the charge(s) in the petition, the facts of what happened, and any possible defenses.  
We have talked about what could happen if I admit, including what could happen if I break the rules of probation. \_\_\_\_\_

I declare under penalty of perjury, which means that I am guilty of a crime if I am lying, that my attorney has gone over this form with  
me, explained what it means, and answered my questions. I understand the rights I am giving up, I know what could happen because  
of my admission, and I am admitting to doing what the petition says because I want to and not because someone is forcing me to do  
this.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)  \_\_\_\_\_  
(SIGNATURE OF CHILD)

### DECLARATION OF INTERPRETER

The primary language of the child is

☐ Spanish.  
☐ other (*specify*): \_\_\_\_\_

I certify that I interpreted this form for the parent or legal guardian in that person's primary language to the best of my ability.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)  \_\_\_\_\_  
(SIGNATURE OF INTERPRETER)

### DECLARATION OF ATTORNEY

I am the attorney for the child. I have explained and discussed with my client the above rights, the facts of his or her case, possible  
defenses, and the consequences of his or her decision to enter an admission. Based on my conversation with the minor, I am satisfied  
that his/her admission to the petition is knowingly, intelligently, and voluntarily made, and I consent to the admission.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)  \_\_\_\_\_  
(SIGNATURE OF ATTORNEY)

### ORDER AND FINDING

I have spoken with the child, reviewed the waiver form, and find that the child has been fully informed of the constitutional rights and  
the consequences of the admission in this case and understands them. I further find that the child has knowingly, intelligently, and  
voluntarily waived his/her rights and that there is a factual basis for the minor's admission.

IT IS ORDERED that the minor's admission be accepted and entered in the minutes of this court. This executed waiver of rights  
form is filed in the records of this court and incorporated in the above-numbered case by reference.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
1.	California Lawyers Association Executive Committee of the Family Law Section By: Saul Bercovitch, Director of Governmental Affairs Sacramento, CA	A	FLEXCOM agrees with this proposal.	No response required.
2.	Joint Rules Subcommittee of TCPJAC/CEAC	AM	The JRS notes that the proposal is required to conform to a change of law. The proposal should be implemented to also comply with federal mandates for reimbursement of funds and to avoid disruption in services for youth.	No response required.
3.	Superior Court of Los Angeles County	A	<p>Request for Specific Comments</p> <p>Does the proposal appropriately address the stated purpose? -Yes, the proposal addresses the stated purpose.</p> <p>Would the proposal provide cost savings? If so, please quantify. -We do not anticipate cost savings.</p> <p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? -Yes, three months would be sufficient.</p>	<p>No response required.</p> <p>While this proposal may not result in costs savings, nor is it anticipated to result in additional costs.</p> <p>No response required.</p> <p>No response required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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	Commenter	Position	Comment	Committee Response
4.	Superior Court of Orange County	AM	<p><b>Rule 5.730 Adoption</b></p> <ul style="list-style-type: none"> <li>Currently, the rule does not mention findings are required to claim federal funding. It is recommended that Title IV-E be cross referenced in the rule.</li> </ul> <p><b>Waiver of Rights – Juvenile Delinquency (JV-618)</b></p> <ul style="list-style-type: none"> <li>It is recommended the form be retitled to, Waiver of Rights – Juvenile Justice. This would be consistent with other Judicial Council juvenile forms that have been revised to replace the word “delinquency” with “justice”. For example, the Juvenile Justice Court – Information for Parents (JV-060-INFO) form.</li> <li>For section 2a, replace the word “agreeing” with “admitting” to be consistent with language used within the section.</li> <li>For section 4b, it is recommended that a field be added at the end of the sentence that reads, “_____ months/years” to indicate the maximum amount of time the youth could be committed.</li> </ul>	<p>The rule is not currently part of this proposal. Amending the rule would necessitate circulating it for comment. The committee declines amending the rule at this time but will make note of the suggestion for future revisions to the rule.</p> <p>The committee agrees with this recommendation and will change the title of the form.</p> <p>The committee appreciates this suggestion. However, the committee declines to make the recommended revision because the wording on these forms was developed by a multidisciplinary working group after reviewing local forms to ensure accuracy and comprehension by youth.</p> <p>The committee agrees that it would be clearer to include “months/years” at the end of item 4b and will make that change.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

All comments are verbatim unless indicated by an asterisk (\*).

Commenter	Position	Comment	Committee Response
		<ul style="list-style-type: none"> <li>For section 4f, it is recommended the sentence be revised to read, “I may be required to register to be listed in a database under:”</li> <li>For section 4g, “medical expenses” should be added as one of the items parents or legal guardians may have to pay for. Also, are juveniles subject to penalty and assessments on fines and fees? If so, it should be added as well.</li> <li>For section 5c, it is recommended the sentence be revised to, “The right to testify or speak up for myself in court after I have sworn to tell the truth.”</li> <li>For section 5e, replace the word “come” with “ordered”.</li> <li>On page two, it is recommended the first sentence of the declaration be revised to, “I declare under penalty of perjury, which means I could be charged and punished for lying under oath, that my attorney has gone</li> </ul>	<p>The committee agrees that it would be clearer to include the proposed language in item 4f.</p> <p>Item 4g was revised purely to comply with SB 190; these suggested revisions are beyond the scope of this proposal.</p> <p>The committee appreciates this suggestion. However, the committee declines to make the recommended revision because the wording on these forms was developed by a multidisciplinary working group after reviewing local forms to ensure accuracy and comprehension by young people.</p> <p>As stated above, these forms were developed to be written in a more plain language style that would be accurate and more understandable to young people.</p> <p>Please see the response to the previous two comments.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>over this form with me, explained what it means, and answered my questions.</p> <ul style="list-style-type: none"> <li>It is recommended that a Declaration of Prosecutor be added to page two. This would allow the prosecutor to sign the form when a disposition is negotiated.</li> </ul> <p><b>Request for Specific Comments</b>  Would the proposal provide a cost savings?  -No, the proposal would not provide a cost savings.</p> <p>What would the implementation requirements be for courts?  -Judges and staff would be notified of the changes in the rule and forms. Procedures may also require revision.</p> <p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?  -Yes, three months would be sufficient time for implementation.</p>	<p>This proposed revision is beyond the scope of this proposal.</p> <p>While this proposal may not result in costs savings, nor is it anticipated to result in additional costs.</p> <p>The committee agrees that these are the likely implementation requirements.</p> <p>No response required.</p>
5.	Superior Court of Riverside County By: Susan Ryan Chief Deputy – Legal Services	A	<p>Does the proposal appropriately address the stated purpose?  Waiver of Rights (JV-618)-Yes, the proposal would make this form more accurate pursuant to SB-190 by removing reference to the “payment of fees” in item 4g as minors are no longer ordered to pay fees associated with out-of-home</p>	No response required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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Commenter	Position	Comment	Committee Response
		<p>placement, drug testing, or home detention programs.</p> <p>Termination of Dependency in Adoption (JV-364) Yes, adding the Title IV-E findings of “reasonable efforts” and “permanent plan finding” will the make the form comply with requirements for federal funding and Continuum of Care Reform (“CCR”).</p> <p>Request to Change Court Order (JV-180) Yes, adding the box in item 2 to request a resumption of unification services pursuant to WIC 366.3(f) will make the form legally accurate because CCR revised WIC 366.22(a)(3) to include “return home” as a permanent plan option for children in out-of-home care when reunification services are terminated.</p> <p>Would the proposal provide cost savings? No.</p> <p>What would the implementation requirements be for courts? Implementation would be minimum. Would need to inform judicial officers, staff and justice partners of the updates to the JCC forms (JV-618, JV-364 and JV-180).</p> <p>Would three months from Judicial Council approval of this proposal until its effective date</p>	<p>No response required.</p> <p>No response required.</p> <p>While this proposal may not result in costs savings, nor is it anticipated to result in additional costs.</p> <p>The committee agrees that these will be the implementation requirements.</p> <p>No response required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

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	Commenter	Position	Comment	Committee Response
			<p>provide sufficient time for implementation? Yes</p> <p>How well would this proposal work in courts of different sizes? The same notification of the form updates would likely need to occur in any size court. The proposals should work well for courts of any size.</p>	The committee agrees with the assessment that implementation of this proposal will not vary based on court size.
6.	<p>Superior Court of San Bernardino County Executive Office 247 W. Third Street, 11<sup>th</sup> Floor San Bernardino, CA 92415-0302 909-708-8747 ExecutiveOffice@sb-court.org</p>	A	<p>Form JV618 – Waiver of Rights – Optional form – it is like a plea bargain – it has information on advising them of their rights, immigration, sex offender, etc. Comment: 4 (g) – should this say restitution in lieu of what is described in this section?</p> <p>Form JV364 – Termination of Dependency in Adoption – Mandatory Form which now includes Title IV Findings as to Reasonable efforts and permanent plan to ensure that the form contains the required federal findings. Also the title was changed to clarify that the form is only to be used when the permanent plan was achieved in adoption.</p> <p>Form JV180 – Request to Change Court Order – Adds check box for resumption of reunification services. It is also proposing to use the non-gendered terms “parent” and “sibling” for mother, father, sister and brother.</p> <p>Request for Specific Comments • Does the proposal appropriately address the stated purpose? Yes</p>	<p>Item 4(g) is being revised purely to comply with SB 190.</p> <p>This is an accurate statement of the revisions proposed. No further response required.</p> <p>This is an accurate statement of the revisions proposed. No further response required.</p> <p>No response required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPRING 19-22

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	Commenter	Position	Comment	Committee Response
			<ul style="list-style-type: none"> <li>• Would the proposal provide cost savings? No</li> <li>• What would the implementation requirements be for courts – for example, training, staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</li> <li>• JV618 - Notify judicial officers, justice partners, court staff; add to procedures as</li> <li>• JV364 – Notify judicial officers, justice partners, court staff; add to adoption procedures/dependency procedures</li> <li>• JV180 – Inform judicial officers, court staff – information only</li> <li>• Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes</li> <li>• How well would this proposal work in courts of different sizes? It should be the same no matter the size of the court</li> </ul>	<p>While this proposal may not result in costs savings, nor is it anticipated to result in additional costs.</p> <p>The committee agrees that these will be the implementation requirements.</p> <p>No response required.</p> <p>The committee agrees with the assessment that implementation of this proposal will not vary based on court size.</p>
7.	Superior Court of San Diego County By: Mike Roddy Executive Officer	AM	<p>1. Does the proposal appropriately address the stated purpose? Yes.</p> <p>2. Would the proposal provide cost savings? Yes.</p>	<p>No response required.</p> <p>No response required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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Commenter	Position	Comment	Committee Response
		<p>3. What would the implementation requirements be for courts? Informing bench, staff, and attorneys of changes.</p> <p>4. Would three months provide sufficient time for implementation? Yes.</p> <p>5. How well would this proposal work in courts of different sizes? Probably very well.</p> <p style="text-align: center;"><b><u>Form JV-618</u></b></p> <p><b>Title:</b> Change “DELINQUENCY” to “JUSTICE.”</p> <p style="text-align: center;"><b>WAIVER OF RIGHTS – JUVENILE DELINQUENCY JUSTICE</b></p> <p><b>Page 1, Item 2.a.:</b> Add “I did” (for consistency with item 2.b.) and additional suggested edits to simplify language.</p> <p style="padding-left: 40px;">admit the charge(s), which means <del>that</del> I <del>am agreeing</del> that I did what the petition says <u>I did</u>.</p> <p><b>Page 1, Item 2.b.:</b> Additional suggested edits to simplify language.</p> <p style="padding-left: 40px;">plead no contest, which means <del>that</del> I do not want to fight my case at a trial, but <del>I’m do</del> not agreeing <del>ing</del> that I did what the petition says I did.</p>	<p>The committee agrees that these will be the implementation requirements.</p> <p>No response required.</p> <p>The committee agrees with the assessment that implementation of this proposal will not vary based on court size.</p> <p>The committee has made this change and some of the minor revisions for clarity listed below, as noted. The committee declines to make all the suggested revisions because the wording on these forms was developed by a multidisciplinary working group after reviewing local forms to ensure accuracy and comprehension by young people.</p>

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## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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Commenter	Position	Comment	Committee Response
		<p><b>Page 1, Item 4:</b> Add “or plea.”</p> <p>I understand the following consequences of my admission <b>or plea</b>:</p> <p><b>Page 1, Item 4:</b> Additional suggested edits to simplify language.</p> <p>I understand the following <b>consequences could happen because</b> of my admission <b>or plea</b>:</p> <p><b>Page 1, Item 4.c.:</b> Add “be.”</p> <p>... and never <b>be</b> allowed to return (exclusion) and/or never be allowed to become a United States citizen.</p> <p><b>Page 1, Item 4.f.:</b> Add “member.”</p> <p>Penal Code section 186.30 (gang <b>member</b>).</p> <p><b>Page 2, Item 6:</b> Change “crime(s)” to “one or more crimes.”</p> <p>... I will have <b>one or more</b> crime(s) on my record that are “Strike” offenses under the Three Strikes Law.</p> <p><b>Page 2, declaration:</b> Suggested edit.</p> <p>... and I <b>am</b> admitting to doing what the petition says <b>I did</b> because I want to ...</p>	

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## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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Commenter	Position	Comment	Committee Response
		<p><b>Page 2, declaration of interpreter:</b> Suggested edits for consistency and accuracy.</p> <p>The primary language of the <u>child youth</u> is</p> <p>I certify that I interpreted this form for the <u>parent or legal guardian youth</u> in <del>that person's</del> <u>the youth's</u> primary language to the best of my ability.</p> <p><b>Page 2, declaration of attorney:</b> Suggested edit for consistency.</p> <p>I am the attorney for the <u>child youth</u>. ... Based on my conversation with <del>the</del> <u>minor my client</u>, I am satisfied ... .</p> <p><b>Page 2, order and finding:</b> Suggested edits for consistency.</p> <p>I have spoken with the <u>child youth</u>, reviewed the waiver form, and find that the <u>child youth</u> has been fully informed of the constitutional rights and the consequences of the admission in this case and understands them. I further find that the <u>child youth</u> has knowingly, intelligently, and voluntarily waived his/her rights and that there is a factual basis for the <u>minor's youth's</u> admission.</p>	<p>The committee agrees that “minor” should be revised to either “child” or “my client.”</p>

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## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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	Commenter	Position	Comment	Committee Response
			<p>IT IS ORDERED that the <b>minor's youth's</b> admission be accepted and entered in the minutes of this court. ...</p> <p><b><u>Form JV-364</u></b></p> <p>First two sentences: Add “court finds the” to ensure title IV-E compliance.</p> <p>The <b>court finds the</b> county agency has complied with the case plan by making reasonable efforts to complete whatever steps are necessary to finalize the permanent placement of the child.</p> <p>The <b>court finds the</b> permanent plan of adoption has been achieved.</p> <p>N.B.: <b>CRC 5.730(g)</b> will need to be amended to reflect the new name of this form.</p> <p>If the petition for adoption is granted, the juvenile court must dismiss the dependency, terminate jurisdiction over the child, and vacate any previously set review hearing dates. A completed <b>Termination of Dependency for Adoption (Juvenile)</b> (form JV-364) must be filed in the child's juvenile dependency file.</p> <p><b><u>Form JV-180</u></b></p> <p><b>Page 2:</b> Suggested edits.</p>	

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## SPRING 19-22

### Juvenile Law: Legal Accuracy of Forms (Revise forms JV-180, JV-164 and JV-618)

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	Commenter	Position	Comment	Committee Response
			Remove the closed parentheses in items 5 a, b, and c.  Change "brother or sister" to "sibling" for consistency.	The committee agrees with this revision and will make the change.

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